

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF SOUTH CENTRAL BELL)	
TELEPHONE COMPANY FOR CONFIDENTIAL)	
TREATMENT OF INFORMATION FILED IN)	CASE NO.
SUPPORT OF ITS PROPOSED TARIFF FOR)	93-153
TOUCHSTAR SERVICE ANONYMOUS CALL)	
REJECTION)	

O R D E R

This matter arising upon petition of BellSouth Telecommunications, Inc. d/b/a South Central Bell Telephone Company ("South Central Bell") filed April 23, 1993 pursuant to 807 KAR 5:001, Section 7, for confidential protection of the cost support data developed in connection with South Central Bell's proposed tariff for TOUCHSTAR Service Anonymous Call Rejection on the grounds that disclosure of the information is likely to cause South Central Bell competitive injury, and it appearing to this Commission as follows:

South Central Bell, as part of its revisions to its tariff, has introduced a new feature to its TOUCHSTAR Service called Anonymous Call Rejection. When this service is activated, all incoming calls marked private are automatically routed to a denial announcement, and following the announcement the call is disconnected. The called party receives no alerting signal for these attempted calls and the party's line does not ring. In support of its tariff for the proposed service, South Central Bell has provided cost data which it seeks to protect as confidential.

The information sought to be protected is not known outside of South Central Bell and is not disseminated within South Central Bell except to those employees who have a legitimate business need to know and act upon the information. South Central Bell seeks to preserve the confidentiality of the information through all appropriate means, including the maintenance of appropriate security at its offices.

KRS 61.872(1) requires information filed with the Commission to be available for public inspection unless specifically exempted by statute. Exemptions from this requirement are provided in KRS 61.878(1). That section of the statute exempts 11 categories of information. One category exempted in subparagraph (c) of that section is commercial information confidentially disclosed to the Commission. To qualify for that exemption, it must be established that disclosure of the information is likely to cause substantial competitive harm to the party from whom the information was obtained. To satisfy this test, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

South Central Bell's competitors for TOUCHSTAR services are providers of customer premises equipment. Such providers have asked for the BCLID feature, Call Block, Call Selector, and Preferred Call Forward. BCLID refers to bulk calling line identification service. With this service, customer premises

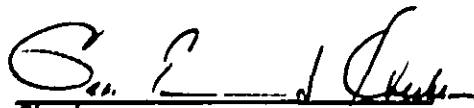
equipment will be able to replicate all features offered by South Central Bell's TOUCHSTAR service. Such competitors could use the cost data to determine South Central Bell's capital and operating costs, as well as contribution for the service. This information would assist competitors in developing marketing strategies to the detriment of South Central Bell. Therefore, disclosure of the information is likely to cause South Central Bell competitive injury and the information should be protected as confidential.

This Commission being otherwise sufficiently advised,


IT IS ORDERED that the cost support data developed by South Central Bell in connection with its proposed tariff for TOUCHSTAR Service Anonymous Call Rejection, which South Central Bell has petitioned be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 1st day of June, 1993.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director